

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

S.W. Department – PMS – Company Petition No.57/1999 filed by M/s Sirsilk Ltd., (in Liquidation) – Permission to process pending scholarship claims of SC students for the Academic Years 2008-09 to 2012-13 amounting to **Rs.1,49,30,150/-** (Rupees One Crore Forty Nine Lakhs Thirty Thousand and One Hundred and Fifty only) due to the College "Guru Nanak Institute of Technology" R.R. District, previously JSN College of Engineering and Technology, Sirpur Khagaz Nagar, Adilabad district run by Barah Moula Educational Society towards Post-Matric Scholarships – Orders – Issued.

SOCIAL WELFARE (EDN.2) DEPARTMENT

G.O. Rt. No. 598

Dated :04 -09-2013.

Read the following :-

1. Orders of the Hon'ble High Court of AP, Hyderabad in Company Application No.1391/2004 in Company Petition No.57/1999 filed by M/s Sirsilk Ltd., (in liquidation), dated 23-12-2011.
2. From the Commissioner of Social Welfare, AP, Hyd. Lr. No.D(3)/ 10250/ 2004, dated 18-05-2012 & 23-05-2013.
3. From the Official Liquidator, High Court of Andhra Pradesh, Hyderabad, Ref.No.OL/ AP/CP57 /1999 / AR-II/2013, dt.13-6-2013.
4. From the Govt. Pleader for Social Welfare, High Court of Andhra Pradesh, Hyderabad, Lr. No.CP.No.57/1999/KR/SW/HC, dt.03-07-2013.

ORDER :-

In the reference **second** read above, the Commissioner of Social Welfare, AP, Hyderabad has stated that the tuition fee is pending to be sanctioned to SC students studying in Gurunanak Institute of Technology, R.R. District, which were not sanctioned due to pending Court Case in Hon'ble High Court.

2. The CSW has also stated that the Manager (Administration), Guru Nanak Educational Society, Ibrahimpatnam, R.R. District, has represented for sanction of Scholarships from 2008-09 onwards as the PMS have been stopped from the academic year 2008-09 due to pending Court case in the Hon'ble High Court between M/s Sirsilk Ltd., and Guru Nanak Institute of Technology and has requested for sanction of PMS from 2008-09 to 2010-11 for an amount of Rs.46,26,550/-.

3. The CSW has further stated that the Hon'ble High Court, Hyderabad made the following order on 23-12-2011 :-

"Be that as it may as on 16-10-2006 respondent No.3 (Barah Moula Educational Society) paid Rs.7,35,000/-. Since considerable amount receivable by respondent.No.3 is stated to be withheld by the Commissioner of Social Welfare, the High Court deem it appropriate to modify the order dt.28-7-2009 directing the Commissioner of Social Welfare to release the amounts due, to the Engineering College, known as Gurunanak Institute of Technology, run by respondent.No.3, subject to the 3rd respondent depositing a further sum of Rs.10,00,000/- (Rs.Ten Lakhs only) before the Official Liquidator within four weeks from today. As and when 3rd respondent produces a receipt before the CSW as proof of depositing the money with the Official Liquidator, all the amounts payable by the CSW to the respondent No.3 shall be released".

4. The CSW, AP, Hyd. has also stated that the Manager (Administration) of Guru Nanak Institute of Technology, Hyderabad, has represented that the Institution has deposited Rs.10.00 lakhs on 19-01-2012 vide Banker cheque No.253892, dt.19-01-2012 at the office of the Official Liquidator, High Court, Hyderabad and requested to release all out standing amount (RTF & MTF) due to their Institute from 2008-09 to 2010-11 and also stated that the Govt. Pleader for Social Welfare, after detailed examination of the case has opined, that the Commissioner of Social Welfare can release the amounts payable to the respondent society College i.e., Gurunanak Institute of Technology as per the directions of the Hon'ble Court dt.23-12-2011, if the 3rd respondent i.e., Barah Moula Educational Society deposit Rs.10.00 lakhs before the Official Liquidator.

[P.T.O]

5. The CSW, AP, Hyd. vide reference **second** read above has also stated that the Joint Director (SW), Ranga Reddy has furnished that an amount of Rs.1,49,30,150/- (Rupees One Crore Forty Nine Lakhs Thirty Thouand and One Hundred and Fifty only) is required for sanction of Post-Matric Scholarships to Guru Nanak Institute of Technology, Ibrahimpatnam, R.R. District for the period from 2008-09 to 2012-13 and requested to issue permission to clear the dues.
6. In the reference **third** read above, the Official Liquidator, High Court of AP, Hyderabad, has informed that "under the orders of the Hon'ble High Court of Andhra Pradesh vide its order dated 23-12-2011 passed in CA No.1391/2004 M/s Guru Nanak Institute of Technology has deposited Rs.10,00,000/- (Rupees Ten Lakhs only) in his office through DD No.253892, dated 19-01-2012 for which they have issued Receipt No.8220, dated 19-01-2012.
7. In the reference **fourth** read above, the GP for SW, High Court of A.P., has opined that reimbursement of scholarship payable to the Institution can be made on production of receipt for deposit of Rs.10,00,000/- as directed by the Hon'ble Court, if there are no other legal impediments to release the amount.
8. Government, after careful examination, hereby permit processing of pending scholarship claims of SC students for the Academic Years 2008-09 to 2012-13 amounting to **Rs.1,49,30,150/-** (Rupees One Crore Forty Nine Lakhs Thirty Thousand and One Hundred and Fifty only) due to the College "Guru Nanak Institute of Technology" run by Barah Moula Educational Society towards Post-Matric Scholarships, subject to the condition that they shall give an affidavit to the Joint Director (Social Welfare), Ranga Reddy District, that claims being put forth have not been claimed earlier and that they are liable for refunding any wrongful or double claims made thereof. The claims for 2013-14 shall be as per the normal procedure in vogue.
9. The Commissioner of Social Welfare, AP, Hyd. is, therefore, requested to ensure that the Joint Director (Social Welfare), Ranga Reddy District shall verify claims of students and ensure that claims are sanctioned only to such of those students who continue to remain unpaid as on the date of issue of orders. Wrongful claims are likely to be recovered from the College Management.
10. This order issues with the concurrence of the Finance (Expr.SW) Department vide their UO No.878/111/AR/ESW/2013, dated 12-7-2013.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Social Welfare, AP, Hyderabad.
The Joint Director, Social Welfare, Ranga Reddy District
The Director of Treasuries & Accounts, AP, Hyd.
The Pay & Accounts Officer, AP, Hyd.
The Joint Director (PMU), o/o CSW, AP, Hyd.
The Project Manager, ePASS, o/o DG, CGG, AP, Hyd.
The Finance (Expr.SW) Dept.
The Finance (BG.IV) Dept/REINs
The PS to Minister (SW)
The PS to Principal Secretary (SW)

//FORWARDED BY ORDER//

SECTION OFFICER